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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,312	02/25/2002	David Kammer	PALM-3741.US.P	5496
7590 03/17/2009 WAGNER, MURABITO & HAO LLP Third Floor Two North Market Street San Jose, CA 95113				
EXAMINER				
TRAN, TUAN A				
ART UNIT		PAPER NUMBER		
2618				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/083,312

Applicant(s)

KAMMER ET AL.

Examiner

TUAN A. TRAN

Art Unit

2618

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 13-30 is/are pending in the application.
- 4a) Of the above claim(s) 25-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 13-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 3-15 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson (6,697,638).

Regarding claim 13, Larsson discloses a portable computer system (car kit) 160 capable of establishing Bluetooth communications with other portable computer system (handset) 140 (See fig. 1), comprising: a Bluetooth radio 162; inherently a processor coupled to the Bluetooth radio via bus and coupled to a memory including instructions that when executed implement a method of establishing Bluetooth connections between the portable computers, the method comprising: in response to a request from a first portable computer system (i.e. handset) to establish communication between the first portable computer system and a second portable computer system (i.e. car kit), establishing a Bluetooth connection between the first and second portable computer systems by sending a Bluetooth page message from the second portable computer system (i.e. response page message) to the first portable computer system without need of a Bluetooth inquiry message, wherein the establishing bypasses a Bluetooth discovery process (See fig. 8 and col. 4 line 60 to col. 5 line 8). However, Larsson does not explicitly mention the steps of: storing a plurality of Bluetooth device identification of

the first portable computer system (handset) on a memory resident list of a second portable computer system (car kit) and accessing the device identification of the first portable computer system on the second portable computer system upon receiving the request from the first portable computer system. Since Larsson does suggest that the second portable computer system being configured to allow communications with only those devices that are on a predetermined allowed list (See col. 4 lines 25-40); therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the system of Larsson such that the second portable computer system can only establish the Bluetooth connection with the first portable computer system (i.e. by sending the response message) when the first portable computer system is on its allowed list, for the advantage of protecting the user privacy as well as preventing unauthorized communications.

Regarding claim 14, Larsson discloses as cited in claim 13. Larsson further discloses the device identification is automatically determined in a two-way communication between the first and second portable computer systems prior to step of establishing the Bluetooth connection (See col. 6 lines 41-53).

Regarding claim 15, Larsson discloses as cited in claim 13. Larsson further discloses the device identification is unknown to the second portable computer system and is entered by a user of the second portable computer system (See col. 6 lines 54-64).

Claims 1-3 and 19-21 are rejected for the same reasons as set forth in claims 13-15, as method.

2. Claims 4-5, 16-17 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson (6,697,638) in view of Philippps (WO 02/09362).

Regarding claim 16, Larsson discloses as cited in claim 13. However, Larsson does not explicitly mention that the second portable computer system is capable of displaying list of device identification for selection by a user to establish the Bluetooth connection. Since portable computer system capable of displaying list of Bluetooth device identifications for selection by a user to establish the Bluetooth connection is known in the art as shown by Philippps (See fig. 3 and page 3 line 30 to page 4 line 2); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Phillips in modifying the portable computer system as disclosed by Larsson for the advantage of allowing the user to view the device list and to manually select a device in interest for connection.

Regarding claim 17, Larsson and Phillips disclose as cited in claim 16. Larsson further discloses the representation of the device identification is a Bluetooth friendly name (See col. 6 lines 59-64).

Claims 4-5 and 22-23 are rejected for the same reasons as set forth in claims 16-17, as method.

3. Claim 6, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson (6,697,638) in view of Johansson et al. (2002/0044549).

Regarding claim 18, Larsson discloses as cited in claim 13. However, Larsson does not mention the step of automatically beginning the Bluetooth discovery process in responsive to a failure of step c). Since Johansson teaches a method of forming efficient scatternet (See fig. 3), wherein Johansson suggests that the Inquiry process (Bluetooth discovery process) should be invoked by every node periodically in order to detect new node or adapt to new connectivity conditions due to mobility or obstacles (See page 5 [0070]) and one known reason for a failure of establishing Bluetooth connection is devices that are out of range; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the concept of Johansson for configuring the system, as disclosed by Larsson, to invoke the Inquiry process (or discovery process) in responsive to a failure of establishing Bluetooth connection for the advantage of adapting to new connectivity conditions as well as allowing the user of the device to look for other compatible or available devices for connection.

Claims 6 and 24 are rejected for the same reasons as set forth in claim 18, as method.

Response to Arguments

Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

The applicant argued that the propose modification of Larsson to add a display unit to the car kit would change a principle of operation of Larsson because Larsson is designed and intended to function without a car kit display unit (See Remark, page 13-

14). The examiner respectfully disagrees with the applicant's argument. In this instant case, since Larsson is designed and intended to function **with** a car kit display unit (See col. 6 lines 40-45) and portable computer system capable of displaying list of Bluetooth device identifications for selection by a user to establish the Bluetooth connection is known in the art as shown by Phillipps (See fig. 3 and page 3 line 30 to page 4 line 2); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Phillips in modifying the portable computer system as disclosed by Larsson for the advantage of allowing the user to view the device list and to manually select a device in interest for connection.

The Applicant argued that Johansson teaches time as triggering discovery while the instant limitation utilizes a failure to connect with a known device as a trigger, and therefore the rejection based on Larsson and Johansson fails to establish the obviousness (See Remark, page 15-16). The examiner respectfully disagrees with the applicant's argument. The examiner agrees with the applicant that the discovery is triggered periodically. However, the concept behinds this action, as suggested by Johansson, is to detect new nodes or **adapt to new connectivity conditions** due to obstacles or mobility of Bluetooth devices and one known reason for a failure of establishing Bluetooth connection is devices that are out of range (**connectivity condition changes**); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply this concept of Johansson for configuring the system, as disclosed by Larsson, to invoke the Inquiry process (or discovery process) in responsive to a failure of establishing Bluetooth connection for the

advantage of adapting to new connectivity conditions as well as allowing the user of the device to look for other compatible or available devices for connections.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **TUAN A. TRAN** whose telephone number is (571)272-7858. The examiner can normally be reached on **Mon-Fri, 10:00AM-6:30PM**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan A Tran/
Primary Examiner, Art Unit 2618